

REMARKS

Claims 1-9 are pending in this application. By this Amendment, claims 1-9 are amended. Support for the amendments to claims 1-9 can be found, for example, in paragraph [0029] and Table 1 of the instant specification and in original claims 1-9. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Rejections Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 4, 8 and 9 as indefinite under 35 U.S.C. §112, second paragraph. Applicant respectfully traverses the rejection.

By this Amendment, claim 4 is amended to recite proper Markush group language; claim 8 is amended to delete the term "main component" and recite that the "acrylic resin particles comprise at least one member selected from the group consisting of an acrylic acid and an acrylic acid ester;" and claim 9 is amended to recite an "ink cartridge comprising the color ink set according to claim 1." The above amendments obviate the rejection under 35 U.S.C. §112, second paragraph.

For the foregoing reasons, claims 4, 8 and 9 are believed to be definite. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1-3 and 5-9 under 35 U.S.C. §102(b) over U.S. Patent No. 6,540,329 to Ma et al. ("Ma"). Applicant respectfully traverses the rejection.

Claim 1 recites "[a] color ink set comprising a black ink and a color ink that is different from the black ink, wherein: the black ink comprises a black pigment, first resin particles having carboxyl groups, a first pH-adjusting agent, a first water-soluble organic solvent, a first dispersing agent that is different from the first resin particles, and water; the color ink comprises a coloring pigment, second resin particles, a second pH-adjusting agent, a

second water-soluble organic solvent, a second dispersing agent that is different from the second resin particles, and water; and a first pH of the black ink is not less than 7.8, and a second pH of the color ink is not more than 4.5" (emphasis added). Ma does not teach or suggest such an ink set.

The Office Action asserts that Ma discloses a color ink set including a black ink comprising water, solvent, black pigment, resin having a carboxyl group and pH adjusting agent (organic amine), and a colored ink comprising water, solvent, coloring pigment, resin obtained from sulfopropyl acrylate and pH adjusting agent (organic acid). Notwithstanding this assertion, Ma does not anticipate and would not have rendered obvious the ink set of claim 1.

Claim 1 requires a black ink including first resin particles having carboxyl groups and a first dispersing agent that differs from the first resin particles, and a color ink including second resin particles and a second dispersing agent that differs from the second resin particles. The Office Action correctly points out that Ma discloses a first ink including a first anionic polymer and a second ink including a second anionic polymer. *See, e.g.*, column 4, lines 21 to 30. The polymers in the inks of Ma are provided as dispersants. *See, e.g.*, column 7, lines 36 to 40. In contrast, the inks in the ink set of claim 1 each includes a resin and a separate dispersant. There is no teaching or suggestion in Ma of including a separate dispersant in the inks in addition to the disclosed anionic polymers.

The inks in the ink set of claim 1 include resin particles, in addition to dispersants, because the inks are intended for use in printing on substrates such as cloth. *See instant specification*, paragraph [0005]. The resin particles do not function as dispersants, but rather as agents for preserving print fastness, particularly when a printed substrate is subjected to washing, as cloth might be. *See instant specification*, paragraph [0006]. There is no teaching or suggestion in Ma of including a component having the function of the resins in the inks of

claim 1. Ma does not recognize or suggest solutions to the problem identified and addressed by Applicant.

As Ma fails to teach or suggest an ink set comprising a black ink including first resin particles having carboxyl groups and a first dispersing agent that differs from the first resin particles, and a color ink including second resin particles and a second dispersing agent that differs from the second resin particles, Ma fails to teach or suggest each and every element of claim 1.

Claim 1 is not anticipated by Ma. Claims 2, 3 and 5-9 depend from claim 1 and, thus, also are not anticipated by Ma. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejections Under 35 U.S.C. §103

The Office Action rejects claim 4 under 35 U.S.C. §103(a) over Ma in view of U.S. Patent No. 6,136,890 to Carlson et al. ("Carlson"). Applicant respectfully traverses the rejection.

Ma does not teach or suggest the ink set of claim 1 at least for the reasons set forth above. Carlson does not remedy the deficiencies of Ma. Carlson is cited for its alleged teaching of the use of polyurethane resins including carboxyl groups. However, Carlson, like Ma, fails to teach or suggest an ink set comprising a black ink including first resin particles having carboxyl groups and a first dispersing agent that differs from the first resin particles, and a color ink including second resin particles and a second dispersing agent that differs from the second resin particles. As neither Ma nor Carlson teaches or suggest an ink set comprising a black ink including first resin particles having carboxyl groups and a first dispersing agent that differs from the first resin particles, and a color ink including second resin particles and a second dispersing agent that differs from the second resin particles, the combination of references fails to teach or suggest each and every limitation of claim 1.

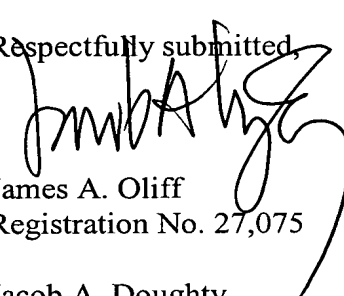
Claim 1 would not have been rendered obvious by Ma and Carlson. Claim 4 depends from claim 1 and, thus, also would not have been rendered obvious by Ma and Carlson. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671

JAO:JAD/hs

Date: January 9, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--